

Appl. No. 09/854,421
Amdt. dated December 24, 2003
Reply to Office action of August 27, 2003

REMARKS

Reconsideration is respectfully requested. Claims 1-10 are present in the application. New claim 11 is presented.

Claims 1-10 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over prior art Figure 1(a) in view of Zajdman Avigdor Amichai Oded (JP 03-062579). Applicants respectfully traverse and feel that it is a misinterpretation of what the JP 03-062579 shows. In particular, the document shows spacers between the cylindrical electrodes. Applicants' claimed invention eliminates spacers between the electrodes.

Applicants' invention provides an unobstructed pathway for light to travel in the space between the electrodes by eliminating the spacers between the electrodes. Independent claim 1 recites:

"A cylindrical straight slab type gas laser comprising a pair of cylindrical electrodes ... configured to operably maintain the gap between the electrodes without the need for spacers disposed between the electrodes".

Independent claim 9 recites:

"... the straight slab being configured to provide a sufficiently constant gap between the electrodes without the need for a spacer disposed between the electrodes ...".

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The Examiner states "Zajdman Avigdor Amichai Oded disclose a laser system comprising a waxy cone (18) which can be used to replace for M3 W-axicon and spacers for properly positioning the two cylindrical electrodes, see figure 2". Applicants respectfully disagree with the Examiner's reading of the reference. The arrangement discloses using spacers between the electrodes. Please refer to Fig 2 of the reference to see that there is no unobstructed path for light to travel in the space between the electrodes. The light follows a path from surface 20 to the angled surfaces of item 18 along the channel labeled 5 there are physical obstructions shown in cross hatching which serve (in the referenced device) to maintain the concentric positioning of the inner electrode and the outer electrode 1.

The other embodiments in the JP 03-062579 reference also show spacers between the inner electrode and the outer electrode thereby obstructing the light path. See Figs 1(a), 1(b) and 1(c).

Accordingly, claims 1 and 9 are believed to be allowable. Claims 2-8 and 10, which respectively depend therefrom and include all the limitations of claims 1 and 9 are also believed to be allowable. Reconsideration of the Examiner's rejections and allowance of the case is respectfully requested.

New claim 11 depending on claim 1 is added herewith. Support for the claim can be found in the specification on page 3 lines 21-23. This claim is also believed allowable.

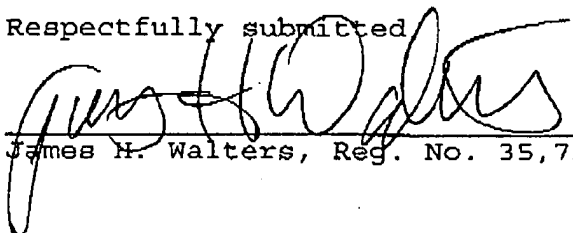
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Therefore, it is respectfully submitted that the Examiner's proposed combination would not result in teaching or suggestion of applicants' claimed invention.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,


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